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United States of America

6 IN THE UNITED STATES DISTRICT COURT

7 EASTERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,

CASE NO. 1:25-CR-00033-KES-BAM

9 Plaintiff,

10 STIPULATION TO CONTINUE STATUS
CONFERENCE

11 v.

12 DAVID RICHARD GARCIA JR.

13 Defendants.

14 IT IS HEREBY STIPULATED by and between the parties that the status conference set for April 23,
15 2025 at 1:00 pm before the Honorable Barbara A. McAuliffe be continued to August 13, 2025 at 1:00 p.m.

16 **STIPULATION**

17 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
18 through defendant's counsel of record, hereby stipulate as follows:

19 1. The parties need additional time to further investigate/explore matters related to resolving
20 the case or setting a trial date.

21 a) Particularly, the defendant is also charged in state court and the parties need time
22 to explore a potential global resolution.

23 2. By this stipulation, defendant now moves to continue the status conference, and to
24 exclude time from April 23, 2025 to August 13, 2025.

25 3. The parties agree and stipulate, and request that the Court find the following:

26 a) The government has represented that the discovery associated with this case
27 includes investigative reports, and related documents, photographs, etc., in electronic form. All

1 of this discovery has been either produced directly to counsel and/or made available for
2 inspection and copying.

3 b) With respect to the additional time from April 23, 2025 to August 13, 2025,
4 defense would further like additional time for defense investigation, and the government does not
5 object to the continuance on this basis.

6 c) An ends-of-justice delay is particularly apt in this case because:
7 • Defendant needs additional time to conduct additional investigation.
8 d) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of April 23, 2025 to August 13, 2025,
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) because
14 it results from a continuance granted by the Court at defendants' request on the basis of the
15 Court's finding that the ends of justice served by taking such action outweigh the best interest of
16 the public and the defendants in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Dated: April 17, 2025

Respectfully submitted,

MICHELE BECKWITH
Acting United States Attorney

By /s/ Robert L. Veneman-Hughes
ROBERT L. VENEMAN-HUGHES
Assistant United States Attorney

Dated: April 17, 2025

/s/ Robert Lamanuzzi
ROBERT LAMANUZZI
Attorney for Defendant DAVID GARCIA

ORDER

IT IS SO ORDERED that the status conference is reset from April 23, 2025 to August 13, 2025 at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe and time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 between those dates upon finding of good cause pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) for the reasons stated above.

IT IS SO ORDERED.

Dated: April 17, 2025

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE